

United States District Court

SOUTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

v.

Chance Ballinger

CRIMINAL COMPLAINT
1:05MJ00416D
CASE NUMBER: ()

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 15, 2005 in Hamilton county, in the Southern District of Ohio defendants(s) did, (Track Statutory Language of Offense) knowingly receive or distribute (A) any child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer; or (B) any material that contains child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer

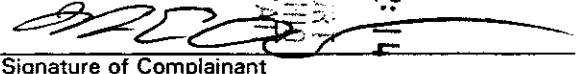
in violation of Title 18 United States Code, Section(s) 2252A(a)(2) and 2252A(a)(5)(B).

I further state that I am a(n) U. S. Postal Inspector and that this complaint is based on the following facts:

Official Title
SEE ATTACHED

Continued on the attached sheet and made a part hereof:

 Yes No

2005 DEC 15 PM12:14

 Signature of Complainant

Sworn to before me and subscribed in my presence,

December 15, 2005

Date

Honorable, Timothy S. Black, U. S. Magistrate Judge
Name and Title of Judicial Officer

at Cincinnati, OH

City of State


 Timothy S. Black
 Signature of Judicial Officer

AFFIDAVIT

1. I, M. E. Arthur, Postal Inspector, United States Postal Inspection Service, being duly sworn, do hereby depose and state:
2. I am a Postal Inspector with the United States Postal Inspection Service and have been so employed since 1990 . I am currently assigned to the Mid-Atlantic Child Pornography Task Force, domiciled at the Cincinnati Field Office of the United States Postal Inspection Service. My duties consist of investigating violations which include the mailing and receipt of materials involving the sexual exploitation of children as defined and prohibited by Title 18, United States Code, Sections 2251, et. seq.
3. I am personally familiar with the facts and circumstances surrounding the investigation both from my own investigative activity and from information obtained by other law enforcement officials who I believe to be truthful and reliable.
4. I have participated in numerous investigations of individuals suspected of distributing and receiving child pornography via the U.S. Mails, and I have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography such as; videotapes, still photographs, computer images, magazines, floppy disks, central processing units, printers and modems.

BACKGROUND

5. On or about December 5, 2005, I was contacted by Postal Inspector M. Corricelli, Harrisburg, PA Domicile. Inspector Corricelli informed me that a Chance Ballinger, 819 Main Street Apt. 16, Cincinnati, OH 45202 had ordered a DVD containing child pornography.

Inspector Corricelli using the name Jack Costello, hardjackn@yahoo.com, posted undercover advertisements in various Yahoo! Groups that through his education and experience he believes are frequented by those seeking images and/or videos of child pornography. The advertisements were posted in the groups, Hot_Sexy_Boys (posted 10/11/05), Sexy_Young_Boy (posted 10/11/05), Boy_men_together (posted 11/29/05), Menwclothes (posted 11/29/05) and Boys_n_men (posted 11/29/05). The advertisement in Boy_men_together and boys_n_men stated, "Hi, I have a small collection of DVDs and VHS tapes with the youngest, hottest, teen boys in action. If interested, email me at hardjackn@... for more info." The advertisement in menwclothes stated, "Hi, I have a small collection of DVDs and VHS tapes with the hottest, youngest teen boys in action. If interested, email me at hardjackn@... for more info." The advertisement in Sexy_Young_Boy stated, "Hi, I have a small collection of DVDs and VHS with the hottest, youngest teen boys in action. If interested, email me at hardjackn@... for more info." The advertisement in Hot_Sexy_Boys stated, "Hi! I have a small collection of DVDs and VHS tapes with the youngest teen boys in action. If interested, email me at hardjackn@... for more info."

On November 30, 2005, Inspector Corricelli received an email message on his undercover account, hardjackn@yahoo.com from "chance ballinger" openforluv@yahoo.com. The message read, "Hi there! YES I would most definately be interested in pics-ASAP-of very young boys (9-12), preferably nude and in loose underwear or speedos (posing to where you can see target spot!). I don't have any to send yet, but if you'll trust me to send some this spring (when I expect to get a scanner and digital camera), I would greatly appreciate it. Thanks a million!"

On December 1, 2005, hardjackn@yahoo.com sent an email response to openforluv@yahoo.com. The response stated, "Hi Chance, I think my collection has what you're looking for. My videos feature boys 6-16 with hot action. If this is what you're looking for, let me know and we can work something out."

Ballinger replied saying, "Hi again. Yes I'm definately interested! While I don't get into watching boys as young as 6 (my minimum age req. is 9) being nude or having sex, especially since it would be obvious they are being forced [REDACTED] into it, I would definately love to see what you have (i'll just fast-forward through the 6,7, and 8yr olds). Do you have these on DVD? I think I may have msunderstood you-I thought you were advertising pics to share on e-mail. But hey, film is even better [REDACTED]! As for working something out-first of all, how much do you want for each DVD/VHS? I could perhaps pay you half before and half after you send them-example, if you wanted \$10 for each, I'd pay you \$5 and you send it and I pay you the other \$5. Cool? I was hoping that you had some really nice pics as well, so you could send them to me via e-mail. Do you? Anyway, e-mail me back and tell me what you think."

On December 2, 2005, Inspector Corricelli replied with the following email, "Chance, Hope I didn't mislead you but I only do videos (DVD and VHS) I prefer DVDs only as there easier for me to send (and less obvious). I usually ask \$15 for each or \$50 for the four disc set. I usually don't split payment but I guess I can take a chance (excuse the bad pun!). I've attached movie descriptions below. Let me know what you think: The first one has 2 cute brothers probably between 12 and 13 yrs old who get naked and get in bed, they jack off and then suck each others dicks, then an Uncle, who was filming them through a window comes in and he makes them suck his dick and then they use a little dildo on their asses. The second tape has 2 blonde boys who are cousins that are about 11-14 years old, they get in bed together and get naked. They start out with alot of kissing, and then start jacking off, sucking each others dicks and fingerfucking their ass, they are both really cute and the action is hot. The third tape is a compilation that I made from alot of amateur tape put together. It has lots of boys, some are Asian and some are mexican, from 8-16 years old with lots of action, all are naked, lots of masturbation and dick sucking and some anal action with some other boys and men with some great cum scenes. Alot of these scenes were filmed outdoors with some pissing in them. The fourth tape is one with two boys who are Jr. High Football players and two young cheerleaders, all about 12 years old. They skip school and go to the one girls house. They all get naked and the cheerleaders suck the boys dicks and then the boys fuck the girls."

Ballinger replied stating, "Jack, Hell yes I like it! I can't afford all 4 of them now, but I can definately do 1. I'll start with the obvious best one--the one with all those boys in various flicks(the 8-16yr olds). Thank you so much for agreeing to accept 1/2 payments. How about I give you \$8 for the one, and if you send it(hopefully very quickly), I send you the other \$7? Yep it's a trust thing--we both don't know each other from Adam, so how do we know we're each going to get what we're promised, right? That way, at worst, I'm losing only \$8 or you're losing only \$7. Cool? But you won't lose anything if I like the first one, in fact you'll make quite a bit more, because if I like the first one I will most certainly send you \$45--1/2&1/2 of course--for the remaining 3 videos. You'll make \$60 instead of \$50. Just please don't sell them to anyone else!!!! Tell me what you think and send me your address so I can speed my first payment. Here's my address: 819 Main St. apt. #16 Cincinnati, OH. 45202"

Inspector Corricelli sent a reply stating, "Tell you what, since I know you'll love my videos and you'll want more, I'll only charge you \$10 for the first DVD (I belive it's video #3 you are asking for?). Once I receive that, I will send it. I'm not a scammer and I do this to increase my collection and share with select friends that have a similar interest in boys. With these prices, I'll never get rich but I'm sure happy. Before I send the video, I need a promise from you that you will not turn around and resell it or post it all over the net. My address is: Jack Costello, P.O. box 60601 Harrisburg, PA 17106 Please let me know when payment is in the mail so I can look for it."

Ballinger sent an email back to Inspector Corricelli saying, "Jack, Ok you talked me into it! I'll send you the complete \$10 today for video #3 (if it's the one with all the variety of boys 8-16 having sex with each other. It is DVD, right? Thanks a million! And as I said before, if I like it I'll for sure buy more from you. I'm TRUSTING you so please don't let me down! You have my word that I will NOT resell or post on internet--I want it for MYSELF, and I'm scared to up or download anything dealing with kids anyway! LOL—Chance"

Inspector Corricelli responded saying, "Cool - just let me know when you put it in the mail so I can be looking for it. Thanks for understanding about the trading thing too - I like to keep this low key and don't need any attention. BTW, I'm the same about uploading anything - that's one of the reasons I do videos only. Too many people judge us based on their dicked up values. Glad to make a new friend who understands... Have a great weekend"

Ballinger sent another email saying, "Jack, Hear-hear! I know exactly what you mean. We are misunderstood, and just who the hell do they(the system, general society, and the media)think they are to impose what they feel is right for kids?! Do you agree that it should be up to the kid (boys in our case) to determine what HE wants and what feels good to HIM? I mean, I was 9 when a 16yr old neighbor started fooling around with me(sucked and fondled only), but I WANTED HIM TO! This went on for two years, and not once did he try to persuade me into sucking

him or doing anything anal! And I'm perfectly fine now. BTW, a little more about me: I love boys 9-13, but my faves are those ages 11-12. I've had 4 boys ages 11, 13, 12, 12 and 10 in the past 10 yrs. I'm trusting you with this information, so would appreciate some in return (if you have had any boys that is. BE HONEST!). ok? BTW, is the flick a DVD or VHS? Thanks again and you also have a great weekend LOL—Chance"

On December 5, 2005 Inspector Corricelli sent an email stating, "I agree with you that the boy should decide what they want. It's not like they're doing brain surgery! I haven't had any boys (yet) but I'm hoping to. I'm just pretty shy and not sure how to meet them. Maybe once we get to know each other better, we could get together and you could show me? I'd really like that. As for the videos, it's your choice VHS or DVD. I prefer DVD as they're easier to mail and less obvious but let me know what works for you. Hope you are well. Jack"

Ballinger replied stating, "Hi! That's great that you prefer to send DVD because that's what I prefer to get! You should be receiving the \$10 money order by tomorrow, wednesday at the very latest (I sent it out Friday afternoon). I really feel for you that you havent had the extreme joy and pleasure of having a boy yet. Man, there's nothing like it in the world! Don't get me wrong, I'm shy too, I don't go around just assertively seeking boys—I have just been in the right place and situation at the right time. I haven't had a boy since 2003 though, so I'm in a drought. You never told me what ages you would prefer. I love the 9-13 set, and my faves are those aged 11-12. But I actually like looking at them (nude shots or at the urinals) as young as 7 and as old as 15, and would even do a boy 15-16 but not love it as much as I would the 9-13 (esp the 11-12) set. Do you get into foreign films? And I don't mean for the plots either! If you want to see some boy peter, check out "My Father's Glory" (a beautiful 10yr old French boy—It also shows his 7yr old brother's peter); also check out "Pelle The Conqueror" (an awesome looking 11yr old Swedish boy—two good shots of his peter in two different scenes). There's also—even though I've yet to see them for myself—"The Annunciation" (several boys 8-12), "The Genesis Children" (several boys 10-14), "Robby" (about a 9yr old being stranded on an island). The last three I mentioned you'll only find on Amazon. Then of course there's "Lord Of The Flies(1990)" for excellent underwear shots, especially of the 11yr old twins (gorgeous they are!). There, I've talked your ear off enough for now! Please write and tell me your prefs, etc. Hope you are well too! LOL—Chance"

On December 5, 2005, Inspector Corricelli received an envelope addressed to Jack Costello, Box 60601, Harrisburg, PA 17106 from Chance Ballinger, 819 Main St. #16, Cincinnati, OH 45202. The envelope contained a TravelersExpress MoneyGram money order in the amount of \$10.00. The money order was made payable to Jack Costello from Chance Ballinger, 819 Main St. #16, Cincinnati, OH 45202. Also inside the envelope was a handwritten note dated 12/02/05 saying, "Jack- Hi! Here's the \$10 for that first flick. Send it ASAP, *please! If I like it, I'll buy the rest. THANKS AGAIN! Sincerely, Chance"

On December 6, 2005, Inspector Corricelli sent an envelope addressed to Mr. Chance Ballinger, 819 Main St. (#16) Cincinnati, OH 45202 with a return address of J. Costello, P.O. Box 60601, Harrisburg, PA 17106. The envelope contained a typed note stating, "Chance, This letter serves to confirm I have the correct address before I send your package. Please email me and use the subject "1vrby" Thanks Jack"

On December 7, 2005, Inspector Corricelli received an email from Ballinger saying, "Hi my new friend! By today you should have my money order for \$10. You should have no problem cashing it, because that's how I pay my dad for my cell phone, and he says he encounters no problems. If you haven't sent the DVD yet, in what way are you going to send it (just a large envelope-one that will still fit in an apartment mailbox?)? Just please don't send it in something so big it requires UPS or FEDEX, because they won't deliver to me due to not being able to enter the outer front door. THANKS again, buddy! And remember, if I'm satisfied with the DVD I will buy the others! LOL—Chance"

On December 8, 2005, Inspector Corricelli responded with an email stating, "Hi friend! I usually send these with a requirement for a signature so I know they go to the right guy. How safe is your mailbox? Can the mailman get in the front door? I never send UPS/Fedex anyway. Let me know what you think. And BTW - You will be satisfied." Ballinger replied with an email containing the subject line '1vrby' as requested in the letter mailed to his address. The message of the email said, "Hi again friend! This is in regards to the address--it is the correct one, so send away. Yes the mailman can get in the front door, and my box is safe if the package is small enough to actually put in the box (otherwise the mailman has been known to just lay stuff under the boxes on the floor. Most of them know to put it next door in the little diner that is owned by my landlord, then he'll give to me. He's NOT nosy). I know, I really need to get a p.o. box! Thanks again! BTW-do you also have some nude pics of boys10-13 you can send me (even if it is just via e-mail)? That would also be greatly appreciated! Take care!"

On December 9, 2005, Inspector Corricelli sent an email stating, "Sorry friend, I don't have pictures or stills as they tend to bore me. I like video mostly. I'm working on your DVD and will try getting it in the mail this weekend. I'll let you know once it's away. Take care Jack" Ballinger replied "Ok about the pics. But I can't understand how a pic could be boring! I know that I myself think it's better to just lay back and beat off while holding a nice pic in hand, instead of pausing a scene on a VHS or DVD, only to have that scene interupted by the player's screen-saver! I hate that! Anyway, yeah live action is ultimately better, but when you capture that winning shot of just one boy you are particularly in love with and aroused by, it's just better to have it on 'paper'. Take care!" Inspector Corricelli's responding email stated, "I guess you're right but the action rocks my world..." Ballinger sent another email in response saying, "Hear-hear! But nothing, I mean absolutely NOTHING beats the REAL thing!  Yowza!!! LOL!"

On December 12, 2005, Inspector Corricelli sent an email saying, "I guess I'll have to get a little more daring and try." Ballinger sent an email back stating, "Hi buddy! Have you sent the DVD yet? Please let me know when you sent it so I'll now when

to expect it-like if you sent it on Friday, it should have been here today, or if you sent it on Saturday it should be here tomorrow. Thanks! LOL—Chance" Inspector Corricelli responded with an email saying, "Sorry - I've gotten behind (no pun intended) and haven't gotten it out yet. I'm trying to get it into the mail this week - I'll let you know. Take care" Ballinger sent another email stating, "Ok, just please don't take too long! I'm aching for it as you can probably tell by now! Also, please send it in as small of an envelope as possible, ok? Take care!"

On December 13, 2005, Inspector Corricelli sent an email stating, "I'll do the best I can"

15
On December ~~14~~¹⁵, 2005, a controlled delivery of an Express Mail package containing a compact disc with a child pornography video recorded on it. The package was signed for and accepted for delivery by Ballinger.

ADDITIONAL BACKGROUND

6. Chance Ballinger is currently registered as a sex offender by the Hamilton County Sheriff's office. Ballinger entered a guilty plea to one count of gross sexual imposition and sentenced to serve three years confinement. Ballinger was also at that time classified as a sexually oriented offender. Ballinger was also arrested and convicted in Collin County Texas for possession of child pornography.

7. Based on the foregoing information, I believe that the subject, Chance Ballinger, currently residing at 819 Main Street Apt. 16, Cincinnati, OH 45202 is involved in criminal activity in violation of Title 18 United States Code 2252 A(a)(2) and 2252A(a)(5)(B). Therefore, I seek authorization to arrest the subject.

WHEREFORE, your affiant respectfully requests that a warrant be issued authorizing the United States Postal Inspection Service, with appropriate assistance from other law enforcement officers, to arrest subject, Chance Ballinger.

Dated: December 15, 2005



M. E. Arthur
U.S. Postal Inspector

Subscribed and sworn before me this 15 day of December, 2005.

Timothy S. Black
Honorable ~~Timothy S. Black~~
United States Magistrate Judge